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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,186	01/11/2002	Timothy James Hahn	END920010126US1	9741

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EXAMINER

SMITHERS, MATTHEW

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,186

Applicant(s)

HAHN, TIMOTHY JAMES

Examiner

Matthew B. Smithers

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/11/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

AT

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed January 11, 2002 has been placed in the application file and the information referred to therein has been considered as to the merits.

Claim Objections

Claim 15 is objected to because of the following informalities: Claim 15, recites "A system as set forth in claim 7", however claim 7, is not a system claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 13 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. More specifically, the examiner was unable to find any disclosure on the computer readable medium.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 13 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 13 recites a computer program product for authorizing access to resources requested by a user that comprises a computer readable medium along with three program instruction means for performing the authorization. Claim 13 is not limited to tangible embodiments. In view of Applicant's disclosure none of the pages describe a computer readable medium but instead discloses an authorization program. Without a defined tangible computer readable medium, the claim scope is that of a computer program per se which is not statutory.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. patent application 2004/0015703 granted to Madison et al.

Regarding claim 1, Madison meets the claimed limitations as follows:

"System for authorizing access to resources requested by a first user, said first user submitting an ID of said first user as an individual requesting access to one of said resources, said first user being a member of a group comprising a plurality of individual users, said system comprising:

a first table indicating at least one group of a plurality of individual users;" see paragraph [0025] with figure 2, element 206; and paragraph [0070] with figure 7, element 706.

"a second table indicating which resources are accessible by which of said users and which resources are accessible by which of said groups;" see paragraph [0024] with figure 2, element 208; and figure 7, element 708 (Account ID (user); Authorized user group ID (group).

"and authorization means for comparing said first user to entries in said first table to determine which group or groups said first user is a member and comparing said first user and said group or groups in which said first user is a member to entries in said second table to determine which resources said first user is authorized to access." see paragraphs [0029] with Figure 1, element 106; and paragraphs [0072], [0075] with Figure 6, element 606.

Regarding claim 2, Madison meets the claimed limitations as follows:

"A system as set forth in claim 1 wherein said user ID corresponds to a plurality of different descriptions of said first user, and said authorization means compares all of said descriptions of said first user and said group or groups in which said first user is a

member to said second table to determine which resources said first user is authorized to access." see paragraph [0025] and paragraph [0070].

Regarding claim 3, Madison meets the claimed limitations as follows:

" A system as set forth in claim 1 further comprising a third table correlating said ID of said first user to at least one description of said first user as an individual, and wherein said authorization means compares said group or groups in which said first user is a member and at least one description of said first user, but not said ID of said first user, to said second table to determine which resources said first user is authorized to access." see paragraph [0069] (. . . Each record further includes: client-identifying information . . . client name, address, billing information, . . .) with figure 7, element 702.

Regarding claim 4, Madison meets the claimed limitations as follows:

" A system as set forth in claim 1 wherein said first table also includes an ID of the group in which said first user is a member and a description of said group in which said first user is a member, and said authorization means compares said description name of said first user as an individual, but not said ID of said first user as an individual and said description of said group in which said first user is a member, but not said ID of said group in which said first user is a member, to said second table to determine which resources said first user is authorized to access." see paragraph [0025] with figure 2, element 206; and paragraph [0070] with figure 7, element 706.

Regarding claim 5, Madison meets the claimed limitations as follows:

" A system as set forth in claim 4 wherein said first user can submit said group ID to

request authorization to access resources accessible to said group.” see paragraph [0025] with figure 2, element 206; and paragraph [0070] with figure 7, element 706.

Regarding claim 6, Madison meets the claimed limitations as follows:

” A system as set forth in claim 1 wherein said first table stores IDs, names or descriptions of said plurality of individual users and a corresponding ID, name or description of said group in which said plurality of individual users are members, said second table stores said IDs, names or descriptions of said plurality of individual users as separate entries and said ID, name or description of said group as another entry separate from said IDs, names or descriptions of said plurality of individual users, and each of said entries corresponds to a resource or resource that for which authorization is permitted.” see paragraph [0025] with figure 2, element 206; and paragraph [0070] with figure 7, element 706.

Claims 7, 8, 9, 10, 11, and 12 are method claims that are substantially equivalent to system claims 1, 2, 3, 4, 5, and 6, respectively. Therefore claims 7, 8, 9, 10, 11, and 12 are rejected by a similar rationale.

Regarding claim 13, Madison meets the claimed limitations as follows:

” A computer program product for authorizing access to resources requested by a first user, said first user submitting an ID of said first user as an individual requesting access to one of said resources, said first user being a member of a group comprising a plurality of individual users, said computer program product comprising: a computer readable medium; first program instruction means for storing a first table indicating at least one group of a plurality of individual users; second program instruction means for

storing a second table indicating which resources are accessible by which of said users and which resources are accessible by which of said groups; and third program instruction means for comparing said first user to entries in said first table to determine which group or groups said first user is a member and comparing said first user and said group or groups in which said first user is a member to entries in said second table to determine which resources said first user is authorized to access; and wherein said first, second and third program instruction means are recorded on said computer readable medium." see paragraphs [0029] with Figure 1, element 106; paragraph [0025] with figure 2, element 206; paragraph [0070] with figure 7, element 706; paragraph [0069] (. . . Each record further includes: client-identifying information . . . client name, address, billing information, . . .) with figure 7, element 702; and paragraphs [0072], [0075](. . . the web server under the direction of an authorization software plug-in . . .) with Figure 6, element 606.

Regarding claim 14, Madison meets the claimed limitations as follows:

"System for authorizing access to resources requested by a user, said system comprising:

a first table correlating an ID of said user as an individual to at least one description of said user as an individual; a second table indicating at least one grouping of a plurality of individual user descriptions into a group; a third table indicating which resources are accessible by which of said user descriptions and which resources are accessible by which of said groups; and authorization means for (a) comparing said user ID to entries in said first table to determine the description or descriptions of said user, (b) comparing

said description or descriptions of said user to entries in said second table to determine which group or groups said user is a member and (c) comparing said description or descriptions of said user and said group or groups in which said user is a member to entries in said third table to determine which resources said user ID is authorized to access." see paragraphs [0029] with Figure 1, element 106; paragraph [0025] with figure 2, element 206; paragraph [0070] with figure 7, element 706; paragraph [0069] (. . . Each record further includes: client-identifying information . . . client name, address, billing information, . . .) with figure 7, element 702; and paragraphs [0072], [0075](. . . the web server under the direction of an authorization software plug-in . . .) with Figure 6, element 606.

Regarding claim 15, Madison meets the claimed limitations as follows:

"A system as set forth in claim 7 wherein said second table also includes an ID of the group in which said first user is a member and a description of said group in which said first user is a member, and said authorization means compares said description name of said first user as an individual, but not said ID of said first user as an individual and said description of the group in which said first user is a member, but not said ID of said group in which said first user is a member, to said third table to determine which resources said first user is authorized to access." see paragraph [0025] with figure 2, element 206; and paragraph [0070] with figure 7, element 706.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. McNair (US 5,375,244) discloses a system for granting access to a resource based on attributes associated with access attempts of both valid and fraudulent users of a system.


B. Lewis (US 6,233,576) discloses a system for accessing resources based on comparison between users and the computer resources.

C. Akazawa et al (US 2003/0065794) discloses a system for granting access to resources by using ID and group information within a recipient database to determine access privileges.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew B. Smithers whose telephone number is (571) 272-3876. The examiner can normally be reached on Monday-Friday (8:00-4:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel L. Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Matthew B Smithers
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Art Unit 2137